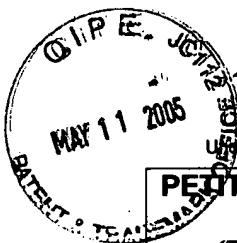


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**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
FY 2005**

(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

Application Number 09/943,441		Docket Number (Optional) 4002-2643
For	Hai H. Trieu INTERVERTEBRAL DISC IMPLANT AND METHODS	
Art Unit 3738	Examiner Alvin J. Stewart	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

<u>Fee</u>	<u>Small Entity Fee</u>	
<input type="checkbox"/> One month [37 CFR 1.17(a)(1)]	\$120	\$60
<input checked="" type="checkbox"/> Two months [37 CFR 1.17(a)(2)]	\$450	\$225
<input type="checkbox"/> Three months [37 CFR 1.17(a)(3)]	\$1020	\$510
<input type="checkbox"/> Four months [37 CFR 1.17(a)(4)]	\$1590	\$795
<input type="checkbox"/> Five months [37 CFR 1.17(a)(5)]	\$2160	\$1080
 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		
<input type="checkbox"/> A check in the amount of the fee is enclosed.		
<input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.		
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.		
<input type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>23-3030</u> . I have enclosed a duplicate copy of this sheet.		

WARNING: Information on this form may become public. Credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.

I am the Applicant/inventor.

- Assignee of record of the entire interest. See 37 CFR 3.171.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).
- Attorney or agent of record. Registration Number: 35,714
- Attorney or agent under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a): _____

Timothy N. Thomas
Signature

May 9, 2005

Date

Timothy N. Thomas
Typed or Printed Name

(317) 634-3456
Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

- *Total of 1 forms are submitted.